



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: **October 8, 2013**

TITLE: **Study of Proposed Revisions to Governing Board Policies CM (School District Annual Report); DJE (Bidding/Purchasing Procedures); EBAA (Reporting of Hazards/Warning Systems); EBBB (Accident Reports); EBC (Emergencies); GBI (Staff Participation in Political Activities); GCFC (Professional Staff Certification and Credentialing Requirements); IHB-R (Special Instructional Programs); and IMG (Animals in Schools)**

BACKGROUND:

The periodic revision of state and federal law often necessitates the corresponding revision of Governing Board policies. This item is presented to permit the Board to review several proposed revisions to the following Policies:

Policy CM – School District Annual Report. HB2496 (Laws 2013, Chapter 148) gives school districts that are assigned letter a letter grade of A in at least two of the last three years under the state’s accountability system, the opportunity to petition the State Board of Education for exemption of applicability of state statutes and rules (these are not specified in the law). This change is accounted for in the proposed policy revision, attached.

Policy DJE, DJE-R and DJE-E – Bidding/Purchasing Procedures. Statutory requirements which operated to ensure that districts not contract with businesses with scrutinized operations in Sudan/Iran (found in A.R.S. 35-397 and created by Laws 2008, Chapter 235) have now expired and therefore references to the same have been removed in Policy DJE and Exhibit DJE-E. And, in Policy DJE and Regulation DJE-R, the state bidding limit has been changed from \$50,000 to \$100,000. The Auditor General’s Office will be publishing related procurement information in the near future and further revision may be required.

Policy EBAA – Reporting of Hazards/Warning Systems. SB1290 (Laws 2013, Chapter 125) made several changes to the Office of Pest Control within Arizona State Government. While the legislation did not make a substantive change for schools, passage of the law made it clearer that applicators of pest control products in schools must be certified (previously the term was “licensed”). EBAA is revised to reflect this.

Policy EBBB – Accident Reports. EBBB is recommended for change simply for clarification; it is not a substantive change.

Policy EBC – Emergencies. SB 1324 (Laws 2013, Chapter 69) specifically exempts and makes confidential emergency response plans (ERP) as they are part of "critical infrastructure information." The ERP is exempted from public records requests. However, plans developed by the Superintendent will be presented annually to the Board.

Policy GBI – Staff Participation in Political Activities. HB2156 (Laws 2013, Chapter 88) revises A.R.S. 15-511 to prohibit the rental of school facilities by a private person or group with the intent of influencing the outcome of an election during the same time and at the same place as a district sponsored forum on candidates or issues. Please note: the penalties for violation of 15-511 have gone from \$500 fine per violation (plus

reimbursement of the value of the school resource expended) to \$5000 fine per violation (plus reimbursement of the value of the school resource expended) in this legislation.

Policy GCFC – Professional Staff Certification and Credentialing Requirements. HB2317 (Laws 2013, Chapter 7) was passed to clarify that an expired fingerprint clearance card could be used to satisfy statutory requirements for an applicant if an affidavit has been signed by the applicant stating both that the applicant:

- a) has submitted a completed application to DPS for a new card within 90 days before the expiration date of the current card; and
- b) is not awaiting trial on and has not been convicted of a criminal offense that would make him or her ineligible for a card.

This provision would be of great assistance to our occasional employee who fails to make timely application for a new fingerprint card on whose application processing is protracted for some reason. In turn, this will assist our District and its students by ensuring the continuity of educational services.

Regulation IHB-R – Special Instructional Programs. The Arizona Department of Education recently provided a special education alert regarding changes to IDEA. The changes governed the use of public benefits or insurance (Medicaid) in 34 CFR §300.154 and the parental consent needed to access such benefits. The change to the policy included in this item will incorporate the new notice requirements.

Policy IMG – Animals in Schools. The changes to IMG reflect the passage of HB2401 (Laws 2013, Chapter 59) defining “service animal” for the purposes of exempting service animals to policies prohibiting animals in certain school settings. These changes to statute mirror requirements under the federal Americans with Disabilities Act of 2010 and regulations implementing this law.

RECOMMENDATION:

This item is presented for the Board’s study at this time. The policy revisions will be brought back at a later date for the Board’s approval.

INITIATED BY:



Todd A. Jaeger, Associate to the Superintendent

Date: March 12, 2013



Patrick Nelson, Superintendent